

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant(s): Odorfer et al.

Examiner: Hashem, Lisa

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CENTRAL FAX CENTER

Serial No.: 09/936,779

Group Art Unit: 2645

APR 30 2007

Filed: February 4, 2002

Docket: 298-141

For: SYSTEM FOR MOBILE
TELECOMMUNICATIONS

Dated: April 30, 2007

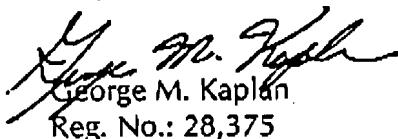
Mail Stop Appeal Brief -- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Lorenda Hood

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT
APPEAL BRIEF UNDER 37 C.F.R. §41.37**

Responsive to box. No. 4 of the Notification of Non-Compliant Appeal Brief under 37 C.F.R. §41.37 mailed March 30, 2007 by the Patent and Trademark Office in the above-identified application and subsequent telephone conference with Lorenda Hood, Patent Appeal Center Specialist, enclosed is a revised Summary of Claimed Subject Matter in which independent Claims 28, 43, 61 and 62 have been referenced to the concomitant disclosure and drawings in the above-identified application.

This Response is being filed by facsimile, pursuant to instructions from Ms. Hood.

Respectfully submitted,


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CERTIFICATE OF FACSIMILE

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office (1-571-273-8300) on the date shown below.

Dated: April 30, 2007


George M. Kaplan

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CENTRAL FAX CENTER(5) SUMMARY OF CLAIMED SUBJECT MATTER

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The appealed claims are directed to a method and system for finding the exact location of a mobile telephone (and user thereof) within a subscriber area, with a mobile telecommunications system operating, e.g., in a GSM mode (Global System for Mobile Communications). A subscriber to whom a subscriber number has been allocated can now be permanently reached within the total area served by the corresponding switching unit, i.e., so-called provider. These and other advantages are attained by the present invention which is directed to (among other features) providing or operating a communication system for mobile radio telephones having at least one subscriber area within a predetermined overall area and having at least one subscriber number, at least one radio cell transmitting a coordinate-containing signal to a mobile user unit within this overall area, and calculating whether the coordinates transmitted by the radio cell lie within the subscriber area.

In other words, at least one radio cell is arranged in the overall area and transmits a signal containing coordinates. The means for calculating whether or not the subscriber is within at least one subscriber area, calculates whether those transmitted coordinates by the radio cell lie within a subscriber area or not. The present invention ensures tariff location is precisely controlled by allocating the subscriber area(s). Furthermore, considerable freedom is provided the subscriber regarding when the subscriber would like to communicate and with which configuration.

More specifically, as recited in independent Claim 28, the present invention is directed to a communication system for a mobile radio telephone system having at least one network unit which serves a predetermined overall area J, comprising at least one subscriber area HZ within this overall area J stipulated and having

allocated at least one subscriber number,

at least one radio cell F1, F2, F3, F4 arranged in the overall area I to transmit a signal containing coordinates x_c , y_c to a mobile user unit ME within the system, and means for calculating whether the coordinates x_c , y_c transmitted by the radio cell F1, F2, F3, F4 responsible for transmission lie within the subscriber area HZ (page 11, line 1 – page 12, line 10 of the specification and Figs. 1 and 2).

As recited in independent Claim 43, the present invention is also directed to a method for operating a communication system for a mobile radio telephone system, which comprises the following steps:

providing a network unit with an overall area I;

stipulating at least one subscriber area HZ within its overall area I, and

allocating at least one subscriber number in the subscriber area HZ,

wherein the overall area I incorporates at least one radio cell F1, F2, F3, F4 that transmits a signal containing coordinates x_c , y_c to a mobile user unit ME within the system, and

a calculation is performed to determine whether the transmitted coordinates x_c , y_c

for the radio cell F1, F2, F3, F4 lie within the stipulated subscriber area HZ (page 11, line 1 – page 12, line 10 of the specification and Figs. 1 and 2).

Independent Claim 61, which has been allowed, incorporates all recitation of independent Claim 28 and additionally recites the mobile user unit ME comprises a subscriber code module SIM in which coordinates x_H , y_H and a radius r of the at least one subscriber area HZ are stored and the calculating means additionally determine whether absolute difference Δx , Δy between the coordinates x_c , y_c transmitted by the radio cell F1, F2, F3, F4 and at least one subscriber area HZ (x_H , y_H) exceed a predetermined value and if

not, whether the square of this difference ($d^2 = (y_H - y_c)^2 + (x_H - x_c)^2$) exceeds a square r^2 of the radius r (page 8, line 4 – page 9, line 6 and Fig.2). Independent Claim 62, which has been allowed, incorporates all recitation of independent Claim 43 and additionally recites the steps of storing coordinates x_H , y_H and a radius r of the at least one subscriber area HZ in a subscriber code module SIM located within the mobile user unit ME and calculating and determining whether absolute difference Δx , Δy between the coordinates x_c , y_c transmitted by the radio cell F1, F2, F3, F4 and at least one subscriber area HZ (x_H , y_H) exceed a predetermined value and if not, whether the square of this difference ($d^2 = (y_H - y_c)^2 + (x_H - x_c)^2$) exceeds a square r^2 of the radius r (page 8, line 4 – page 9, line 6 and Fig.2).